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Trustee

**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA**

## **NORTHERN DIVISION**

In re  
HVI CAT CANYON, INC.,  
Debtor.

Case No. 9:19-bk-11573-MB

Chapter 11

**TRUSTEE'S NOTICE OF MOTION FOR  
ORDER EXTENDING THE TIME  
WITHIN WHICH TO ASSUME OR  
REJECT ANY AND ALL UNEXPIRED  
LEASES OF NONRESIDENTIAL REAL  
PROPERTY**

Date: November 21, 2019  
Time: 2:30 p.m.  
Place: Courtroom 201  
1415 State Street  
Santa Barbara, California

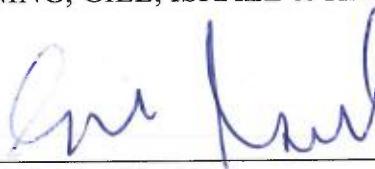
PLEASE TAKE NOTICE that on November 21, 2019, at 2:30 p.m., in Courtroom 201 of the U.S. Bankruptcy Court for the Central District of California, located at 1415 State Street, Santa Barbara, California, Michael A. McConnell, the Chapter 11 trustee (the "Trustee") for the estate of HVI Cat Canyon, Inc. (the "Debtor"), will and hereby does move for an order extending the time within which the Trustee may assume or reject any and all unexpired leases of nonresidential real property (the "Motion"). The Motion has been filed contemporaneously herewith.

The Trustee seeks an order extending through and including February 20, 2020, without lapse, the time within which the Trustee may assume or reject any and all unexpired leases of

1 nonresidential real property. The Trustee believes that the Court should extend the time within  
2 which the Trustee may assume or reject any and all unexpired non-residential real property leases  
3 because, due to the Trustee's appointment less than a month ago, the Trustee has not had adequate  
4 time to ascertain the universe of the Debtor's leases, review such leases, or determine which leases  
5 contain idle or performing oil wells. The Trustee needs additional time to collect and analyze the  
6 Debtor's various non-residential real property leases.

7 PLEASE TAKE FURTHER NOTICE that the Motion is based upon this Notice, the  
8 Memorandum of Points and Authorities, Declaration of Michael A. McConnell, and Request for  
9 Judicial Notice, all attached to the Motion, the papers and pleadings on file in this case, and such  
10 other evidence as may be presented to the Court. A complete copy of the Motion is available from  
11 the Clerk of the Court. An electronic copy can be obtained by request to the undersigned counsel  
12 for the Trustee.

13 PLEASE TAKE FURTHER NOTICE that the Trustee is also filing concurrently herewith  
14 an application to shorten time for the hearing on this Motion (the "Application"), although the  
15 Court orally set the hearing and deadlines herein. Any response may be raised at the hearing.  
16 Failure to respond may be deemed consent to the granting of the Motion.

17  
18 DATED: November M, 2019 DANNING, GILL, ISRAEL & KRASNOFF, LLP  
19  
20 By:   
21 ERIC P. ISRAEL  
22 Attorneys for Michael A. McConnell, Chapter 11  
23 DATE OF MAILING: November 14, 2019  
24  
25  
26  
27  
28

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (specify): TRUSTEE'S NOTICE OF MOTION FOR ORDER EXTENDING THE TIME WITHIN WHICH TO ASSUME OR REJECT ANY AND ALL UNEXPIRED LEASES OF NONRESIDENTIAL REAL PROPERTY will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) November 14, 2019 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:** On (date) November 14, 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor HVI Cat Canyon, Inc. c/o Capitol Corporate Services, Inc. 36 S. 18th Avenue, Suite D Brighton, CO 80601	Debtor HVI Cat Canyon, Inc. 630 Fifth Avenue, Suite 2410 New York, NY 10111	Brian D Fittipaldi United States Department of Justice/OUST 1415 State Street Suite 148 Santa Barbara, CA 93101
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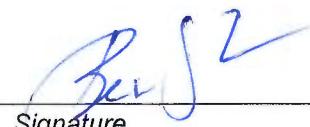
Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) November 14, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

BY OVERNIGHT MAIL  
The Honorable Martin R. Barash  
U.S. Bankruptcy Court  
21041 Burbank Blvd., Suite 342  
Woodland Hills, CA 91367

Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.



November 14, 2019  
Date

Beverly Lew  
Printed Name

Signature

ADDITIONAL SERVICE INFORMATION (if needed):

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